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Message Text

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ORIGIN NEA-10

INFO OCT-01 ISO-00 L-03 JUSE-00 SCA-01 COME-00 EB-07
TRSE-00 AID-05 IGA-02 SEC-01 PM-05 NSC-05 SP-02
SS-15 PRS-01 CIAE-00 INR-07 NSAE-00 DODE-00 /065 R

DRAFTED BY NEA/INS:JGRAHAME:RCM
APPROVED BY NEA/INS:DKUX
L/NEA:WRHODES
JUSTICE:BRISTAU
----------046279 230233Z /70
P 222253Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI PRIORITY

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FROM KUX, NEA/INS, FOR SCHNEIDER

E.O. 11652: N/A

TAGS: ETRD,US,IN

SUBJECT: GOI INTEREST IN OBTAINING INFORMATION RELEVANT
TO BOEING INVESTIGATION

REF: A) NEW DELHI 10071; B) NEW DELHI 10073;

1. SUBJECT TO RESOLUTION OF DISCREPENCIES NOTED PARA 2
BELOW, JUSTICE DEPARTMENT FINDS INDIAN ADAPTATION OF GERMAN
AGREEMENT'S TEXT (REF B) ACCEPTABLE. JUSTICE ALSO STATES
THAT ONCE PROPOSED TEXT AGREED UPON GOI OFFICIAL COULD
VISIT WASHINGTON TO DISCUSS FOLLOW-UP PROCEDURES FOR AN
EXCHANGE OF INFORMATION AND SIGN AGREEMENT. JUSTICE
STRESSES THAT IN THE INTEREST OF AVOIDING FUTURE MISUNDER-
STANDINGS DISCUSSION OF PROCEDURAL DETAILS SHOULD IMMEDI-
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ATELY PRECEDE SIGNING.

2. JUSTICE MAKES THE FOLLOWING POINTS CONCERNING TEXT
TRANSMITTED IN REF B: (A) JUSTICE HAS QUESTION CONCERNING
PARA 6 OF PROPOSED GOI TEXT. IT READS "6. THE PARTIES
SHALL GIVE ADVANCE NOTICE WHERE PRACTICABLE, PRIOR TO THE
INSTITUTION OF LEGAL PROCEEDINGS, CRIMINAL, CIVIL AND

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ADMINISTRATIVE, IN WHICH INFORMATION MADE AVAILABLE PURSUANT TO THESE PROCEDURES IS INTENDED TO BE USED; SO HOWEVER THAT NOTICE THEREOF MAY BE GIVEN FORTHWITH, AFTER THE

INSTITUTION OF SUCH PROCEEDINGS." THIS DIFFERS FROM PARA 7 OF GERMAN AGREEMENT UPON WHICH PARA 6 WAS MODELED. GERMAN AGREEMENT TEXT READS: "THE PARTIES SHALL GIVE ADVANCE NOTICE AND AFFORD AN OPPORTUNITY FOR CONSULTATION PRIOR TO THE USE, WITHIN THE MEANING OF PARA 6, OF ANY INFORMATION MADE AVAILABLE PURSUANT TO THIS AGREEMENT." PLEASE ASK GOI TO EXPLAIN REASONS FOR CHANGES IN THIS PARA.
(B) PARA 12 OF GOI TEXT CONCERNING OTHER AGREEMENTS IS UNIQUE TO THE GERMAN AGREEMENT. WE HAVE ANOTHER CRIMINAL AGREEMENT WITH GERMANY BUT NOT WITH INDIA. THEREFORE, JUSTICE SUGGESTS PARA 12 BE DROPPED, IF GOI AGREEABLE.

3. JUSTICE DESIRES INDIAN NEGOTIATOR TO BE INDIVIDUAL WHO WILL BE DIRECTLY INVOLVED IN ANY SUBSEQUENT INVESTIGATION AND PROSECUTION AND WILL BE ABLE TO EXPLAIN IN DETAIL HOW INFORMATION MADE AVAILABLE WILL BE HANDLED. JUSTICE REQUIRES THREE DAY PERIOD FOR DISCUSSION AND SIGNATURE. HOWEVER, IF NO SPECIAL PROBLEMS ARISE MEETING COULD TAKE LESS TIME.

4. BELIEVE WE CAN MOVE AHEAD RAPIDLY. NEXT STEP WOULD BE FOR GOI TO RESPOND TO JUSTICE QUERIES CONCERNING TEXT AND LIMITED OFFICIAL USE

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APPROVE PROPOSED TEXT, AS REVISED. THEN GOI CAN PROPOSE DATE FOR VISIT OF ITS REPRESENTATIVE FOR DISCUSSION AND SIGNATURE. JUSTICE WOULD PREFER SEPTEMBER BUT MIGHT BE ABLE TO SCHEDULE MEETING IN LATE AUGUST IF GOI DESIRES. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INFORMATION EXCHANGE, AGREEMENTS, INVESTIGATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JGRAHAME:RCM
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Film Number: D770263-0148
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770727/aaaaaxdy.tel
Line Count: 98
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 48dbf264-c288-dd11-92da-001cc4696bcc
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Content Flags:
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Subject: GOI INTEREST IN OBTAINING INFORMATION RELEVANT TO BOEING INVESTIGATION
TAGS: ETRD, US, IN, BOEING
To: NEW DELHI
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/48dbf264-c288-dd11-92da-001cc4696bcc
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